

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:

BKY 18-40752  
Chapter 7

Mark E. Herman,  
  
Debtor.

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**DEBTOR MARK HERMAN'S STATEMENT OF ISSUES TO BE PRESENTED**

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Debtor Mark E. Herman, pursuant to Federal Rule of Bankruptcy Procedure 8009(a) and Local Rule 8009-1(a), hereby states the issues to be presented on appeal:

Was the work of art entitled Bde Maka Ska ("Art") created pre-petition or post-petition.

A. Did the bankruptcy court err when, in deciding Debtor's motion for relief from order, made findings not relevant to the court's determination of the motion, and negatively impacts an existing state court action?

B. Did the bankruptcy court err when it determined that Debtor lacked credibility when determining whether the Art was created pre-petition or post-petition, when Debtor's testimony was supported by documentary evidence?

C. Did the bankruptcy court err when it failed to consider the financial incentives for interested party Amber Senn to give self-serving testimony with respect to whether the Art was created pre-petition or post-petition?

Dated: April 30, 2021

SRCARLSON LAW, LLC

A handwritten signature in black ink, appearing to read 'Scott R. Carlson', is positioned above a horizontal line.

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